

REMARKS

Claims 1-18 are pending in the application. In the Office Action dated Aug. 10, 2005, the Examiner rejected claims 1-5 and 10-14 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,246,751 ("Bergl"). Further, claims 1, 8, 10, and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pub. No. 2002/0143877 ("Hackbarth") and claims 6-7, 9, 15-16, and 18 were objected to as being dependent upon a rejected base claim. However, the Examiner indicated that claims 6-7, 9, 15-16, and 18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this Amendment, claims 1 and 10 have been amended in order to expedite prosecution. Applicants respectfully request reconsideration and withdrawal of the rejections in light of the amendments to the claims and the following remarks. Applicants intent to file Continuation applications to peruse unclaimed subject matter.

I. Telephone Interview

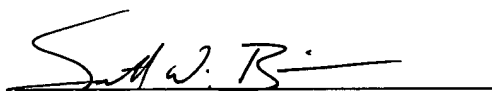
Applicants thank the Examiner for the courtesy of a telephone interview between Examiner Hoosain and Scott W. Brim on October 4, 2005. During the interview, Bergl, Hackbarth, and the currently pending claims were discussed. In discussing the currently pending claims, it was suggested to amend the claims to more clearly claim that the presence database is updated to indicate that a communication device is active ***over a selected desirable route*** for the user to receive at least one message. The selected desirable route is supported in the specification of the current application at least at paragraphs [0010] and [0024]-[0026]. (U.S. Pub No. 2004/0247089). Accordingly, Applicants have amended claims 1 and 10 to recite that a presence data base is updated "to indicate that the communication device is active over a selected desirable route for the user to receive at least one message."

Application No. 10/806,935
Amendment Dated October 11, 2005
Reply to Final Office Action Dated August 10, 2005

II. Conclusion

In view of the amendment to the claims, Applicants submit that the pending claims are in condition of allowance. Reconsideration is therefore respectfully requested. If upon further searching, the Examiner determines that the pending claims are not in condition of allowance, Applicants respectfully request the Examiner to contact the undersigned attorney at (312) 321-4240 to discuss this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott W. Brim", is written over a horizontal line.

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